

Fuller Failure To Be Taken Up By Grand Jury

Liabilities Estimated at 5 Millions, but Assets May Not Yield 3 Cents on the Dollar, Is One Estimate

Mexican Oil Is Blamed

District Attorney Will Demand Books to Learn Details of the Disaster

District Attorney Banton said yesterday that he would issue a subpoena for the books of E. M. Fuller & Co., the Consolidated Exchange house which failed with liabilities estimated at \$5,000,000, as soon as the new General Sessions grand jury assembles next week. This jury will be sworn in Monday and will meet for business on Wednesday.

Although the books seem to be guarded from criminal investigation by an eight stipulation which the Fuller attorneys obtained from the receiver and his counsel before the records were surrendered, Mr. Banton said he would go after them nevertheless.

"Undoubtedly this demand for the books under subpoena will result in application to the Federal court to enjoin the District Attorney," Mr. Banton said, "but I will be glad to begin the fight in the Federal courts as soon as possible."

Complaints Pouring In

Francis L. Kohlman, of counsel for Judge Samuel Strasburger, said that the receiver had nothing to do with any evidence of an alleged business which the books of the concern might furnish.

"It is the duty of the receiver," Mr. Kohlman said, "to collect the assets, and he was advised by his counsel to sign the stipulation. The receiver has no desire nor has he the power, to influence any criminal prosecution. His obligation is clear and definite and he will perform that obligation to the letter."

The District Attorney said that more complaints had been received yesterday from former customers of the Fuller firm who had lost money or securities in the failure. Some of these came by mail and others were made personally. All were referred to Assistant District Attorney Benjamin F. Schreiber, who, with Assistant District Attorneys Thomas J. W. Geraty and William F. McKenna, will conduct the investigation.

Notwithstanding the assertion of William S. Silkworth, president of the Consolidated Exchange, that failure to overtake the rapid rise of Mexican Petroleum, in which the Fuller firm was involved, had brought about the crash, John T. Moore, attorney for the bankrupt, denied any knowledge of speculation in this stock. If Fuller had made such an admission, or if the office records showed it, Mr. Moore seemed to know nothing about it. He did, however, fall in line with recent suggestions for reforms.

The only remedy for present conditions in Wall Street," Mr. Moore said, "is to put brokerage houses under the same sort of supervision that applies to state and national banks. Brokers are fiduciaries, just as banks are. Brokers should be forbidden to speculate on their own account."

Poor Customers the Victims

C. Griswold Bourne, public accountant, who was present in Judge Strasburger's office with attorney for both the receiver and the bankrupts yesterday, said that, so far as his search of the records of the receiver had proceeded, little but one, five, ten and other small lot certificates had been found among the securities. He was not prepared to estimate the total value of the securities, which he said would take a week or two to list. The size of the certificates mentioned bears out the statement that the failure falls on people of slender means.

Altogether yesterday's researches tended to darken rather than brighten the receiver's prospects. One estimate figured them at about three cents on the figure.

Securities for collateral, checks for margin and letters offering new business to the bankrupt company continued to come in yesterday, even though news of the failure had had time to get to the furthest reaches of the newspaper mail and telegraph. Along with them, however, were letters and telegrams making inquiries and demands for immediate closing of accounts and return of securities from hundreds of customers learned of the disaster. It would require a large force of clerks to open these, especially, it was said at the receiver's office.

Whatever assets there may be in either office will be properly protected, Carl J. Austrian, associated with Mr. Kohlman, said yesterday. He would not estimate the out-of-town assets, but said that in Boston there was thought to be a bank account of \$4,000 and in Philadelphia one of \$600. In addition there are probably some securities, he said.

Blames Mexican Oil

In Chicago Federal Judge Carpenter refused to appoint a receiver until the proper documents arrived from New York. He said he wished to avoid appointing a receiver in Chicago if possible, so that the assets could be taken over by Judge Strasburger here. No application has been made in Pittsburgh or Boston for receivers, as local attorneys have taken charge. Judge Strasburger will act as receiver in Philadelphia and Newark.

Mr. Silkworth reported yesterday that the Fuller firm had been in good

Oldest Slayer Dies in Chair; Tells Wife Spirit Will Return

Michael Rossi, sixty-five years old, was put to death last night in Sing Sing prison for the murder of Anthony Orlando in Tuckahoe three years ago. In the twenty-six months he had been in the death house he became not only a writer of verse, but a convert to spirituality.

So certain was he that he would be able to communicate with the living after death that he wrote his wife not to come to see him prior to the execution of his sentence, as he would communicate with her at the first opportunity.

"I'm going to be transferred from here," he wrote, "and when I get to my new destination I will communicate with you. So you need not go to the trouble of coming here to see me on my last day."

Rossi walked calmly to the chair and died without speaking. It was

11:08 when he was led into the death chamber. At 11:19 he was dead.

Rossi was the oldest man put to death at Sing Sing since the installation of the death chair, and few have had a longer term in the death house than his.

Until a day or two before his death he was hopeful of commutation of his sentence. Verses which he had written had been sent to Governor Miller, and Rossi hoped that the unusual appeal would incline the Governor favorably to his contention that he killed only in self-defense.

"I killed him only to save my life," he said yesterday. "He was younger and stronger than I."

It was only on the rare occasions when he talked of the crime of which he was convicted that Rossi showed any emotion. He was courteous and dignified to the end.

In accordance with the custom of the prison he was told that for his last meal he might select any menu that pleased him.

"Thank you," said Rossi, "the regular meal is quite good enough."

condition when the exchange examined it two months ago and that it had since been caught short of Mexican Petroleum. Members of the Consolidated would cease trading against customers' accounts at once, he said, and, furthermore, there must be a provision that they shall not speculate and do no commission business at the same time.

"If a firm is going in business," Mr. Silkworth said, "there must be in the contract a provision prohibiting members from dealing or speculating for their own account, individually or for account of the firm. If that provision is not in the partnership agreement it will not be approved."

Concerning the Federal indictment of Fuller in the Crown Oil case, Mr. Silkworth said that he had been duly examined and his confession reached that he had acted as a broker, not as a partner, and that he could not be convicted. This was probably the reason the case has not been brought to trial, he said.

Fuller and William F. McGee, his partner, are said to have gone into business with \$7,500 supplied by Fuller's former wife, who was Nellie Henry, wife of Jockey Henry. The Fullers were divorced three years ago.

The District Attorney said that more complaints had been received yesterday from former customers of the Fuller firm who had lost money or securities in the failure. Some of these came by mail and others were made personally. All were referred to Assistant District Attorney Benjamin F. Schreiber, who, with Assistant District Attorneys Thomas J. W. Geraty and William F. McKenna, will conduct the investigation.

Notwithstanding the assertion of William S. Silkworth, president of the Consolidated Exchange, that failure to overtake the rapid rise of Mexican Petroleum, in which the Fuller firm was involved, had brought about the crash, John T. Moore, attorney for the bankrupt, denied any knowledge of speculation in this stock. If Fuller had made such an admission, or if the office records showed it, Mr. Moore seemed to know nothing about it. He did, however, fall in line with recent suggestions for reforms.

The only remedy for present conditions in Wall Street," Mr. Moore said, "is to put brokerage houses under the same sort of supervision that applies to state and national banks. Brokers are fiduciaries, just as banks are. Brokers should be forbidden to speculate on their own account."

Poor Customers the Victims

C. Griswold Bourne, public accountant, who was present in Judge Strasburger's office with attorney for both the receiver and the bankrupts yesterday, said that, so far as his search of the records of the receiver had proceeded, little but one, five, ten and other small lot certificates had been found among the securities. He was not prepared to estimate the total value of the securities, which he said would take a week or two to list. The size of the certificates mentioned bears out the statement that the failure falls on people of slender means.

Altogether yesterday's researches tended to darken rather than brighten the receiver's prospects. One estimate figured them at about three cents on the figure.

Blames Mexican Oil

In Chicago Federal Judge Carpenter refused to appoint a receiver until the proper documents arrived from New York. He said he wished to avoid appointing a receiver in Chicago if possible, so that the assets could be taken over by Judge Strasburger here. No application has been made in Pittsburgh or Boston for receivers, as local attorneys have taken charge. Judge Strasburger will act as receiver in Philadelphia and Newark.

Mr. Silkworth reported yesterday that the Fuller firm had been in good

Justice Urges U. S. Take Over Pistol Making

Kapper, in Passing Death Sentence on Patrolman's Slayer, Assails Firearms Sale by Private Concerns

Favors Control by Army

Court Says Manufacture Must Be Curbed if There Are To Be Fewer Crimes

In sentencing Antony Rabasovich to death in the electric chair for the murder of Patrolman John H. McMail, Supreme Court Justice Kapper, in Brooklyn, yesterday criticized severely the sale of firearms by private concerns and declared that the government should take over the industry.

"I feel that Police Officer McMail's life and the lives of thousands of innocent persons would not have been taken if the justice had it not been that pistols were obtained almost as freely as any innocent commodity."

The justice described Rabasovich as a "shooting arsenal" at the time of the shooting of Patrolman McMail, saying he had four pistols in his possession.

Patrolman McMail, who lived at 1289 Greene Avenue, Brooklyn, was killed March 12, 1921, while chasing Rabasovich, who was alleged to have attempted to hold up Mrs. Anna Noyashk, of 268 Watkins Street, Brooklyn. Rabasovich turned in flight and fired a shot which went through McMail's head.

"The case just finished," said Justice Kapper, "emphasizes the views I have frequently expressed deplored the indiscriminate sale of firearms which can be surreptitiously concealed. Here we have a man on whose person were four pistols—a .45 caliber army gun, a .38 caliber pistol and two .32 caliber pistols. He would not have had such frightful instruments in his possession were it not for the unscrupulous marketing."

The present laws attempt to prohibit, but to my mind murder and robbery and violent crime will never be lessened until private manufacture of pistols is stopped. No such weapons should be made except by the government.

"Crimes of varying character and degree we shall probably always have, but I venture the prediction that, with inhibitory statutes such as I suggest, we will find crimes by shooting, with the cowardly aid of pistols, almost entirely eliminated."

The Justice said he saw no practical legal difficulties in the way of the laws he recommended, referring to regulation of poison as akin to this subject, and within Federal enacting powers.

Rabasovich will be electrocuted at Sing Sing in the week of August 14.

Planes Make Night Attack On Gettysburg Battlefield

Anti-Aircraft Guns and All Modern Devices Used in Repelling Invaders at Camp Harding; Pickett's Charge To Be Re-enacted

Pickett's charge in honor of President Harding and other distinguished visitors who will spend Sunday on the battlefield. The special demonstration will not affect the original plan of re-producing Pickett's charge on Monday and the charge under modern conditions on Tuesday, Independence Day.

The Foreign Office requests that the American government make known its approval before July 15, 1922, of the mandates which may be submitted to the Council of the League which meets some time about the middle of that month. The mandates provide for the treatment of all nations with no state monopolies and complete freedom of action for missions.

Near East Mandates Sent

New Drafts Said to Meet Secretary Hughes's Objections

PARIS, June 29 (By The Associated Press).—New drafts of the Class B mandates from the League of Nations for Togoland, the Camerun and Syria, which are declared to meet all the objections in the previous drafts raised by Secretary of State Hughes, were handed to Ambassador Herrick today by the Foreign Office to be sent to Washington.

The Foreign Office requests that the American government make known its approval before July 15, 1922, of the mandates which may be submitted to the Council of the League which meets some time about the middle of that month. The mandates provide for the treatment of all nations with no state monopolies and complete freedom of action for missions.

The Stage Door

George Broadhurst will present "One Love," his new play, at the Woods Theater, Atlantic City, on Monday. Mr. Broadhurst has based the play on a shooting Chapman. Macklyn Arbuckle heads the cast. Mrs. Trimble Bradbury will stage the play.

Lorraine Ulric will teach her 25th performance as Kiki in the play of the same name at the Belasco.

Werner Hoppe, sister of Eddie Hoppe, former billiard champion, will have a leading role in one of the companies which will now be appearing at the Casino. Eddie is now making his 15th performance at the Ambassador Theatre.

The Eighth Cinema, which will open at New Rochelle on Saturday, will have a company of 600 actors and actresses. The first feature will be "Cavalcade." Many stars of the Lamps, the Frogs and the Circus Club will take part one evening.

Major Geiger and six other officers of the action unit have returned from Washington, where they attended the funeral of Captain Hamilton, killed in Monday's airplane crash.

Many friends of Captain Hamilton believe that he died a hero, as he fought through the war. They believe his plane developed trouble almost over the large carnival now showing here and that, to save the lives of many people, he deliberately dropped his machine into a nose dive to prevent it turning into the crowd.

The attack was made in excellent order. Details were provided with picks and shovels to bury the "dead" and to handle all salvage. Two chaplains and ambulance units were with the infantry as they went forward.

Wheat Reaped in "Battle"

The afternoon was spent in a tactical exercise based on the second day's battle of Gettysburg in which General Sickles' third corps of the army of the Potomac was caught in a salient position and overwhelmed by the Confederate army in the bloody fighting of the peach orchard. Sickles' corps was represented by marines posted along the Emmitsburg Road and the attacking waves of the Confederates of Longstreet and Hood came over the ground covered with smoke from Confederate Avenue across the battlefield.

An amazing feature of the preparations for the demonstrations was furnished when General Butler turned a battalion of marines to cutting wheat on the battlefield. A considerable portion of the ground over which Pickett's men charged in 1863 is covered with a fine crop of ripe wheat, ready for harvesting. Old residents say that the same fields were covered with wheat in 1863 and that the wheat was totally ruined. As the marines feel that destroying wheat at \$1.00 per bushel might prove a costly practice, General Butler went into conference with the farmers owning the wheat, with the result that several reaping machines and a number of marines reaped and shocked the wheat.

To Re-enact Pickett's Charge

All plans have been completed to stage a special demonstration of

Film Censorship Urged in Senate Despite Hays's Plea

Sensual and Sordid Domination of Industry Must Be Halted by Federal Law, Says Myers, of Montana

From The Tribune's Washington Bureau

WASHINGTON, June 29.—Official

and nation-wide censorship of the motion picture industry was strongly advo-

cated on the floor of the Senate to-

day by Senator Myers, of Montana. He referred to the address of Will Hays before the General Federation of Women's Clubs at Chautauqua, in

which he promised to have all the

films of the motion picture industry

made available to the public.

Myers asserted that the "sudden zeal of

the motion picture industry to pre-

vent censorship" was responsible for

the recent legislation.

He said that the industry had

been "sensationalized" and that

the public was being "depraved" by

the pictures.

He urged that the industry be

subjected to federal regulation.

He said that the industry had

been "sensationalized" and that

the public was being "depraved" by

the pictures.

He urged that the industry be

subjected to federal regulation.

He said that the industry had

been "sensationalized" and that

the public was being "depraved" by

the pictures.

He urged that the industry be

subjected to federal regulation.

He said that the industry had

been "sensationalized" and that

the public was being "depraved" by